1		
2		
3		
4		
5		
6		
789	WESTERN DISTRICT OF WASHINGTON AT TACOMA	
10	JOHN M BALE,	
11	Plaintiff,	CASE NO. C12-5957 RJB-JRC
12	v.	ORDER DENYING PLAINTIFF'S MOTION FOR ADVICE
13	CHARLES N SCHANDEL.	
14	Defendant.	
15	This 42 U.S.C. §1983 civil rights action has been referred to the undersigned Magistrate	
16	Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judge Rules MJR 1,	
17	MJR 3, and MJR 4.	
18	Plaintiff asks the Court to "explain what I have to do in east terms sence[sic] I'm pro se."	
19	(ECF No. 14). The Court cannot give a litigant legal advice. The Court is prohibited from doing	
20	so because the Court strives to be neutral. Where a Court gives advice how to proceed, the Court	
21	loses that neutrality. The following is an excerpt from Corpus Juris Secundum:	
22 23	in exercising judicial power, a judge may not give an advisory opinion on	
24		

1 In exercising judicial powers and duties, a judge may not give an advisory opinion on any subject, in the absence of a statutory provision expressly so authorizing. Additionally, while a judge must be cognizant of, and give effect to, 2 the statutes and rules of his or her jurisdiction, it is not a judge's responsibility to give legal advice to any entity or individual, such as a party to the proceeding. 3 Accordingly, a trial judge is decidedly correct in avoiding, in the course of correspondence with a pro se plaintiff, advising the plaintiff on the correctness or 4 worth of the plaintiff's lawsuit. 5 C.J.S. Judges § 146. 6 The Court denies plaintiff's motion asking for legal advice. 7 Dated this 8th day of April, 2013. 8 9 /s/J. Richard Creatura J. Richard Creatura 10 United States Magistrate Judge 11 12 13 14 15 16 17 18 19 20 21 22 23 24